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November 15, 2007

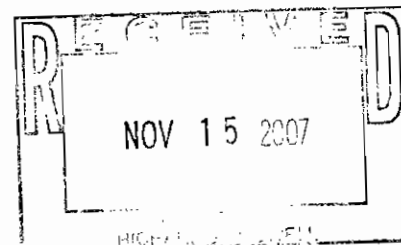
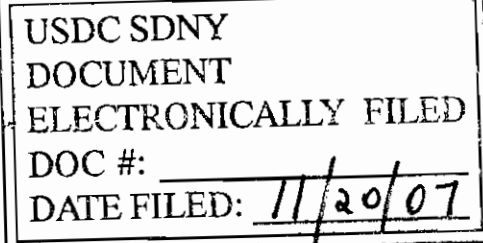
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~~Via CM/ECF System~~

FIA

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Honorable Richard J. Holwell  
District Court Judge  
United States District Court  
Southern District of New York  
500 Pearl Street, Room 1950  
New York, NY 10007



Re: Indemnity Insurance Company of North America  
v. Union Pacific Railroad Company, et. al.  
Case Number: 1:07-cv-8243 (RJH)

Application by Defendants Jaguar Freight Services,  
Jaguar Freight Services, Inc., and BJ International, Inc.  
for Leave to Amend Their Answer to the Complaint  
Our File: 4391-002

Dear Judge Holwell:

We are the attorneys for Jaguar Freight Services, Jaguar Freight Services, Inc. and BJ International, Inc., defendants in the above-referenced action. On behalf of our clients, pursuant to Federal Rule of Civil Procedure 15(a), we are writing, with the agreement and consent of counsel for plaintiff, to request leave of the Court to amend our client's answer to the complaint served on them by plaintiff.

More specifically, we omitted including in our answer reference to defendant BJ International, Inc. ("BJ"). As a consequence we request the opportunity to correct this oversight, and to further correct any responses in the answer as they may apply to BJ.

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As this case has just begun and no discovery, or even a preliminary conference, has taken place, it is respectfully suggested that there would be no prejudice to any party in granting this motion. No prior amendment, as otherwise permitted by the Rules of Procedure, has been filed and this is the first such application to amend.

Thank you in advance for your prompt and favorable consideration of the within application.

Respectfully Submitted

DEORCHIS, WIENER & PARTNERS, LLP

By

Richard L. Furman

RLF:npo

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Application Granted

SO ORDERED

RJH

US JT

11/15/07